

Starting Your Domestic Violence Restraining Order

These forms can be used to ask the court to make orders to protect you and your children or other household members if there has been domestic violence.

Some examples of domestic violence are physical violence such as hitting, shoving, grabbing and restraining movement or threats with a past history of physical violence.

If you or your children or other family members are victims of domestic violence by your spouse, father, mother, brothers or sisters or a boyfriend or girlfriend, you can use these forms to ask the court to give you a temporary restraining order keeping the restrained person away from you and your children.

If granted, the temporary restraining order will be for 25 days pending a hearing. The Temporary Restraining Order can keep the restrained person away from you, your children and other household members. If a temporary order is not granted, the requesting party will still have the opportunity for a permanent restraining order at the hearing.

At the hearing, the court may make an order up to 5 years in duration which will keep the restrained person away from you and your children and may make custody, visitation and support orders.

This packet includes a "Notice of Court Hearing" [DV-109], "Temporary Restraining Orders" [DV-110], "Child Custody and Visitation Order" [DV-140], "Order: No Travel With Children" [DV-145], "Request for Domestic Violence Restraining Order" [DV-100], "Request for Child Custody and Visitation Orders" [DV-105], "Request for Order: No Travel with Children" [DV-108], "Confidential CLETS Information" [CLETS-001], "Proof of Personal Service" [DV-200].

NOTE: The Self-Help Center can review your documents prior to filing.

**Please fill out
sections 1 and 2 of
the following form**

Leave the rest blank

Clerk stamps date here when form is filed.

1 Name of Person Asking for Order:

Your lawyer in this case (if you have one):

Name: _____ State Bar No.: _____

Firm Name: _____

Address (If you have a lawyer for this case, give your lawyer's information. If you do not have a lawyer and want to keep your home address private, give a different mailing address instead. You do not have to give your telephone, fax, or e-mail.):

Address: _____

City: _____ State: _____ Zip: _____

Telephone: _____ Fax: _____

E-Mail Address: _____

Fill in court name and street address:

Superior Court of California, County of

Clerk fills in case number when form is filed.

Case Number:

2 Name of Person to Be Restrained:

The court will fill out the rest of this form.

3 Notice of Court Hearing

A court hearing is scheduled on the request for restraining orders against the person in 2.

**Hearing
Date**

→ Date: _____ Time: _____
Dept.: _____ Room: _____

Name and address of court if different from above:

4 Temporary Restraining Orders (any orders granted are attached on Form DV-110)

a. Temporary restraining orders for personal conduct, stay away, and protection of animals, as requested in Form DV-100, *Request for Domestic Violence Restraining Order*, are:

- (1) ☐ All **granted** until the court hearing
- (2) ☐ All **denied** until the court hearing (specify reasons for denial in (b)):
- (3) ☐ Partly **granted** and partly **denied** until the court hearing (specify reasons for denial in (b)):

b. Requested temporary restraining orders for personal conduct, stay away, and protection of animals are denied because:

- (1) ☐ The facts as stated in form DV-100 do not show reasonable proof of a past act or acts of abuse. (Family Code, §§ 6320 and 6320.5)
- (2) ☐ The facts do not describe in sufficient detail the most recent incidents of abuse, such as what happened, the dates, who did what to whom, or any injuries or history of abuse.
- (3) ☐ Further explanation of reason for denial, or reason not listed above:

This is a Court Order.

⑤ Service of Documents and Time for Service—for Person in ①

At least ☐ five or ☐ ____ days before the hearing, someone age 18 or older—not you or anyone else to be protected—must personally give (serve) a court’s file-stamped copy of this form (DV-109, *Notice of Court Hearing*) to the person in ② along with a copy of all the forms indicated below:

- a. Form DV-100, *Request for Domestic Violence Restraining Order*, (file-stamped) with applicable attachments
- b. ☐ Form DV-110, *Temporary Restraining Order* (file-stamped) with applicable attachments **if granted by the judge**
- c. Form DV-120, *Response to Request for Domestic Violence Restraining Order* (blank form)
- d. Form DV-250, *Proof of Service by Mail* (blank form)
- e. ☐ Other (*specify*): _____

Date: _____

*Judicial Officer***Right to Cancel Hearing: Information for the Person in ①**

- If item ④(a)(2) or ④(a)(3) is checked, the judge has denied some or all of the temporary orders you requested until the court hearing. The judge may make the orders you want after the court hearing. You can keep the hearing date, or you can cancel your request for orders so there is no court hearing.
- If you want to cancel the hearing, use Form DV-112, *Waiver of Hearing on Denied Request for Temporary Restraining Order*. Fill it out and file it with the court as soon as possible. You may file a new request for orders, on the same or different facts, at a later time.
- If you cancel the hearing, do not serve the documents listed in item ⑤ on the other person.
- If you want to keep the hearing date, you must have all of the documents listed in item ⑤ served on the other person within the time listed in item ⑤.
- At the hearing, the judge will consider whether denial of any requested orders will jeopardize your safety and the safety of children for whom you are requesting custody or visitation.
- You must come to the hearing if you want the judge to make restraining orders or continue any orders already made. If you cancel the hearing or do not come to the hearing, any restraining orders made on Form DV-110 will end on the date of the hearing.

To the Person in ①

- The court cannot make the restraining orders after the court hearing unless the person in ② has been personally given (served) a copy of your request and any temporary orders. To show that the person in ② has been served, the person who served the forms must fill out a proof of service form. Form DV-200, *Proof of Personal Service* may be used.
- For information about service, read Form DV-210-INFO, *What Is “Proof of Personal Service”?*
- If you are unable to serve the person in ② in time, you may ask for more time to serve the documents. Read Form DV-115-INFO, *How to Ask for a New Hearing Date*.

This is a Court Order.

To the Person in ②

- If you want to respond in writing, mail a copy of your completed Form DV-120, *Response to Request for Domestic Violence Restraining Order*, to the person in ① and file it with the court. You cannot mail Form DV-120 yourself. Someone age 18 or older—**not you**—must do it.
- To show that the person in ① has been served by mail, the person who mailed the forms must fill out a proof of service form. Form DV-250, *Proof of Service by Mail*, may be used. File the completed form with the court before the hearing and bring it with you to the hearing.
- For information about responding to a restraining order and filing your answer, read Form DV-120-INFO, *How Can I Respond to a Request for Domestic Violence Restraining Order?*.
- Whether or not you respond in writing, go to the court hearing if you want the judge to hear from you before making orders. You may tell the judge why you agree or disagree with the orders requested. You may bring witnesses and other evidence.
- **At the hearing, the judge may make restraining orders against you that could last up to five years.**
- **The judge may also make other orders about your children, child support, spousal support, money, and property and may order you to turn in or sell any firearms that you own or possess.**

**Request for Accommodations**

Assistive listening systems, computer-assisted real-time captioning, or sign language interpreter services are available if you ask at least five days before the hearing. Contact the clerk's office or go to www.courts.ca.gov/forms for *Request for Accommodations by Persons With Disabilities and Response* (Form MC-410). (Civil Code, § 54.8.)

(Clerk will fill out this part.)

—Clerk's Certificate—

Clerk's Certificate
[seal]

I certify that this *Notice of Court Hearing* is a true and correct copy of the original on file in the court.

Date: _____ Clerk, by _____, Deputy

This is a Court Order.

**Please fill out
sections 1,2 and 3 of
the following form**

Leave the rest blank

Clerk stamps date here when form is filed.

Person in ① must complete items ①, ②, and ③ only.

① Name of Protected Person:

Your lawyer in this case (if you have one):

Name: _____ State Bar No.: _____

Firm Name: _____

Address (If you have a lawyer for this case, give your lawyer's information. If you do not have a lawyer and want to keep your home address private, give a different mailing address instead. You do not have to give your telephone, fax, or e-mail.):

Address: _____

City: _____ State: _____ Zip: _____

Telephone: _____ Fax: _____

E-Mail Address: _____

Fill in court name and street address:

Superior Court of California, County of

Clerk fills in case number when form is filed.

Case Number:**② Name of Restrained Person:****Description of restrained person:**Sex: ☐ M ☐ F Height: _____ Weight: _____ Hair Color: _____ Eye Color: _____

Race: _____ Age: _____ Date of Birth: _____

Address (if known): _____

City: _____ State: _____ Zip: _____

Relationship to protected person: _____

③ ☐ Additional Protected Persons

In addition to the person named in ①, the following persons are protected by temporary orders as indicated in items ⑥ and ⑦ (family or household members):

Full name	Relationship to person in ①	Sex	Age
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

☐ Check here if there are additional protected persons. List them on an attached sheet of paper and write, "DV-110, Additional Protected Persons" as a title.

The court will complete the rest of this form.

④ Expiration Date

This order expires at the date and time of the hearing below:

Hearing Date: _____ Time: _____ ☐ a.m. ☐ p.m.**This is a Court Order.**

5 ☐ **Criminal Protective Order**

- a. ☐ A criminal protective order on Form CR-160, *Criminal Protective Order—Domestic Violence*, is in effect.
Case Number: _____ County: _____ Expiration Date: _____
- b. ☐ No information has been provided to the judge about a criminal protective order.

To the person in 2

The court has granted the temporary orders checked below. If you do not obey these orders, you can be arrested and charged with a crime. You may be sent to jail for up to one year, pay a fine of up to \$1,000, or both.

6 **Personal Conduct Orders** ☐ **Not requested** ☐ **Denied until the hearing** ☐ **Granted as follows:**

- a. You must **not** do the following things to the person in ① and ☐ persons in ③:
- ☐ Harass, attack, strike, threaten, assault (sexually or otherwise), hit, follow, stalk, molest, destroy personal property, disturb the peace, keep under surveillance, or block movements
 - ☐ Contact, either directly or indirectly, in any way, including but not limited to, by telephone, mail, e-mail or other electronic means
 - ☐ Take any action, directly or through others, to obtain the addresses or locations of the persons in ① and ③. (If this item is not checked, the court has found good cause not to make this order.)
- b. Peaceful written contact through a lawyer or process server or another person as needed to serve Form DV-120 (*Response to Request for Domestic Violence Restraining Order*) or other legal papers is allowed and does not violate this order.
- c. ☐ Exceptions: Brief and peaceful contact with the person in ①, and peaceful contact with children in ③, as required for court-ordered visitation of children, is allowed unless a criminal protective order says otherwise.

7 **Stay-Away Order** ☐ **Not requested** ☐ **Denied until the hearing** ☐ **Granted as follows:**

- a. You **must** stay at least (*specify*): _____ yards away from:
- | | |
|--------------------------------------------------------------|--------------------------------------------------------------|
| <input type="checkbox"/> The person in ① | <input type="checkbox"/> School of person in ① |
| <input type="checkbox"/> The persons in ③ | <input type="checkbox"/> The children's school or child care |
| <input type="checkbox"/> Home of person in ① | <input type="checkbox"/> Other (<i>specify</i>): _____ |
| <input type="checkbox"/> The job or workplace of person in ① | _____ |
| <input type="checkbox"/> Vehicle of person in ① | _____ |
- b. ☐ Exceptions: Brief and peaceful contact with the person in ①, and peaceful contact with children in ③, as required for court-ordered visitation of children, is allowed unless a criminal protective order says otherwise.

8 **Move-Out Order** ☐ **Not requested** ☐ **Denied until the hearing** ☐ **Granted as follows:**

You must take only personal clothing and belongings needed until the hearing and move out immediately from (*address*): _____

This is a Court Order.

9 No Guns or Other Firearms or Ammunition

- a. You cannot own, possess, have, buy or try to buy, receive or try to receive, or in any other way get guns, other firearms, or ammunition.
- b. You must:
- Sell to a licensed gun dealer or turn in to a law enforcement agency any guns or other firearms within your immediate possession or control. This must be done within 24 hours of being served with this order.
 - File a receipt with the court within 48 hours of receiving this order that proves guns have been turned in or sold. (You may use Form DV-800, *Proof of Firearms Turned In or Sold*, for the receipt.)
- c. ☐ The court has received information that you own or possess a firearm.

10 Record Unlawful Communications

☐ Not requested ☐ Denied until the hearing ☐ Granted as follows:

The person in ① can record communications made by you that violate the judge's orders.

11 Care of Animals ☐ Not requested ☐ Denied until the hearing ☐ Granted as follows:

The person in ① is given the sole possession, care, and control of the animals listed below. The person in ② must stay at least _____ yards away from and not take, sell, transfer, encumber, conceal, molest, attack, strike, threaten, harm, or otherwise dispose of the following animals: _____

12 Child Custody and Visitation ☐ Not requested ☐ Denied until the hearing ☐ Granted as follows:

You and the person in ① must follow the orders listed in attached Form DV-140, *Child Custody and Visitation Order*. The parent with temporary custody of the child must not remove the child from California until a noticed hearing (*Family Code Section 3063*).

13 Child Support

Not ordered now but may be ordered after a noticed hearing.

14 Property Control ☐ Not requested ☐ Denied until the hearing ☐ Granted as follows:

Until the hearing, *only* the person in ① can use, control, and possess the following property and things: _____

15 Debt Payment ☐ Not requested ☐ Denied until the hearing ☐ Granted as follows:

The person in ② must make these payments until this order ends:

Pay to: _____ For: _____ Amount: \$ _____ Due date: _____
Pay to: _____ For: _____ Amount: \$ _____ Due date: _____

16 Property Restraint ☐ Not requested ☐ Denied until the hearing ☐ Granted as follows:

If the people in ① and ② are married to each other or are registered domestic partners,

☐ the person in ① ☐ the person in ② must not transfer, borrow against, sell, hide, or get rid of or destroy any property, including animals, except in the usual course of business or for necessities of life. In addition, each person must notify the other of any new or big expenses and explain them to the court. (*The person in ② cannot contact the person in ① if the court has made a "no contact" order.*)

Peaceful written contact through a lawyer or a process server or other person for service of legal papers related to a court case is allowed and does not violate this order.

This is a Court Order.

17 Spousal Support

Not ordered now but may be ordered after a noticed hearing.

18 Lawyer's Fees and Costs

Not ordered now but may be ordered after a noticed hearing.

19 Payments for Costs and Services

Not ordered now but may be ordered after a noticed hearing.

20 Batterer Intervention Program

Not ordered now but may be ordered after a noticed hearing.

21 Other Orders ☐ Not requested ☐ Denied until the hearing ☐ Granted as follows:

☐ Check here if there are additional orders. List them on an attached sheet of paper and write "DV-110, other Orders" as a title.**22 No Fee to Serve (Notify) Restrained Person**

If the sheriff serves this order, he or she will do it for free.

Date: _____

*Judge (or Judicial Officer)***Warnings and Notices to the Restrained Person in 2****You Cannot Have Guns, Other Firearms or Ammunition**

You cannot own, have, possess, buy or try to buy, receive or try to receive, or otherwise get guns, other firearms, or ammunition while this order is in effect. If you do, you can go to jail and pay a \$1,000 fine. You must sell to a licensed gun dealer or turn in to a law enforcement agency any guns or other firearms that you have or control as stated in item 9 above. The court will require you to prove that you did so.

If You Do Not Obey This Order, You Can Be Arrested and Charged With a Crime

- It is a felony to take or hide a child in violation of this order.
- If you travel to another state or to tribal lands or make the protected person do so, with the intention of disobeying this order, you can be charged with a federal crime.
- If you do not obey this order, you can go to jail or prison and/or pay a fine.

Service of Order by Mail

If the judge makes a restraining order at the hearing, which has the same orders as in this form, you will get a copy of that order by mail at your last known address, which is written in 2. If this address is not correct, or to know if the orders were made permanent, contact the court.

This is a Court Order.

Child Custody, Visitation, and Support

- **Child custody and visitation:** If you do not go to the hearing, the judge can make custody and visitation orders for your children without hearing from you.
- **Child support:** The judge can order child support based on the income of both parents. The judge can also have that support taken directly from your paycheck. Child support can be a lot of money, and usually you have to pay until the child is age 18. File and serve a *Financial Statement (Simplified)* (Form FL-155) or an *Income and Expense Declaration* (Form FL-150) so the judge will have information about your finances.
- **Spousal support:** File and serve an *Income and Expense Declaration* (Form FL-150) so the judge will have information about your finances. Otherwise, the court may make support orders without hearing from you.

Instructions for Law Enforcement

This order is effective when made. It is enforceable by any law enforcement agency that has received the order, is shown a copy of the order, or has verified its existence on the California Law Enforcement Telecommunications System (CLETS). If the law enforcement agency has not received proof of service on the restrained person, and the restrained person was not present at the court hearing, the agency shall advise the restrained person of the terms of the order and then shall enforce it. Violations of this order are subject to criminal penalties.

Arrest Required If Order Is Violated

If an officer has probable cause to believe that the restrained person had notice of the order and has disobeyed the order, the officer must arrest the restrained person. (Penal Code, §§ 836(c)(1), 13701(b).) A violation of the order may be a violation of Penal Code section 166 or 273.6.

Certificate of Compliance With VAWA

This temporary protective order meets all “full faith and credit” requirements of the Violence Against Women Act, 18 U.S.C. § 2265 (1994) (VAWA) upon notice of the restrained person. This court has jurisdiction over the parties and the subject matter; the restrained person has been or will be afforded notice and a timely opportunity to be heard as provided by the laws of this jurisdiction. **This order is valid and entitled to enforcement in each jurisdiction throughout the 50 states of the United States, the District of Columbia, all tribal lands, and all U.S. territories, commonwealths, and possessions and shall be enforced as if it were an order of that jurisdiction.**

(Clerk will fill out this part.)

—Clerk’s Certificate—

Clerk’s Certificate
[seal]

I certify that this *Temporary Restraining Order* is a true and correct copy of the original on file in the court.

Date: _____ Clerk, by _____, Deputy

This is a Court Order.

**Please complete the
front and back of
the following pages**

This form is attached to (check one): ☐ DV-110 ☐ DV-130

1 **Name of Protected Person:** _____ ☐ Mom ☐ Dad ☐ Other*

2 **Other Parent's Name:** _____ ☐ Mom ☐ Dad ☐ Other*

* If Other, specify relationship to child: _____

The Court Orders:

3 ☐ **Child Custody** is ordered as follows:

Legal Custody to: (Person who makes decisions about health, education. Check at least one.)

Physical Custody to: (Person the child lives with. Check at least one.)

Child's Name	Date of Birth	Mom	Dad	Other*	Mom	Dad	Other*
a. _____	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. _____	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c. _____	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

☐ If more children, check here. Attach a sheet of paper and write "DV-140, Child Custody" for a title.

* If Other, specify relationship to child and name of person: _____

4 ☐ **Child Visitation** is ordered as follows:

a. ☐ No visitation to ☐ Mom ☐ Dad ☐ Other (name): _____

b. ☐ See the attached _____ - page document, dated: _____

c. ☐ The parties must go to mediation at: _____

d. ☐ Until the next court order, visitation for ☐ Mom ☐ Dad ☐ Other (name): _____ will be:

(1) ☐ **Weekends** (starting): _____ (The 1st weekend of the month is the 1st weekend with a Saturday.)

☐ 1st ☐ 2nd ☐ 3rd ☐ 4th ☐ 5th weekend of month

from _____ at _____ ☐ a.m. ☐ p.m. to _____ at _____ ☐ a.m. ☐ p.m.
(day of week) (time) (day of week) (time)

(2) ☐ **Weekdays** (starting): _____

from _____ at _____ ☐ a.m. ☐ p.m. to _____ at _____ ☐ a.m. ☐ p.m.
(day of week) (time) (day of week) (time)

(3) ☐ **Other Visitation**

Check here and attach a sheet of paper if there are other visitation days and times, like holidays, birthdays, sports events. List dates and times. Write "DV- 140, Other Visitation" for a title.

5 ☐ **Supervised Visitation or Exchange**

Visits and/or exchanges of children are supervised as specified on Form DV-150, *Supervised Visitation and Exchange Order*.

This is a Court Order.

6 ☐ **Responsibility for Transportation for Visitation**

“Responsibility for transportation” means the parent will take or pick up the child or make arrangements for someone else to do so.

- a. ☐ Mom ☐ Dad ☐ Other (name): _____ **take children to** the visits.
b. ☐ Mom ☐ Dad ☐ Other (name): _____ **pick up children from** the visits.
c. ☐ Drop-off / pick-up of children will be at (address): _____
-

7 ☐ **Travel with Children**

☐ Mom ☐ Dad ☐ Other (name): _____ **must** have written permission from the other parent, or a court order, to take the children outside of:

- a. ☐ The State of California
b. ☐ The United States of America
c. ☐ Other place(s) (list): _____
-

8 ☐ **Child Abduction**

There is a risk that one of the parents will take the children out of California without the other parent's permission. ☐ The orders in Form DV-145, *Order: No Travel with Children*, are attached and must be obeyed. (Fill out and attach Form DV-145 to this form.)

9 ☐ **Other Orders**

Check here and attach any other orders to this form. Write “DV-140, Other Orders” as a title.

10 **Jurisdiction**

This court has jurisdiction to make child custody orders in this case under the Uniform Child Custody Jurisdiction and Enforcement Act (part 3 of the California Family Code starting with § 3400).

11 **Notice and Opportunity to Be Heard**

The responding party was given reasonable notice and an opportunity to be heard as provided by the laws of the State of California.

12 **Country of Habitual Residence**

The country of habitual residence of the child or children in this case is ☐ The United States of America or ☐ Other (specify): _____.

13 **Penalties for Violating This Order**

If you violate this order, you may be subject to civil or criminal penalties, or both.

14 **Duration of Child Custody, Visitation, and Support Orders**

If this form is attached to Form DV-130 (*Restraining Order After Hearing*), the custody and visitation orders in this form remain in effect after the restraining orders on Form DV-130 end.

This is a Court Order.

This form is attached to DV-140, *Child Custody and Visitation Order*.

① **Name of Protected Person:** _____ ☐ Mom ☐ Dad ☐ Other*

② **Other Parent's Name:** _____ ☐ Mom ☐ Dad ☐ Other*

*If Other, specify relationship to child: _____

The Court Finds:

③ There is a risk that (*name of parent*): _____ might take the children without permission because that parent (*check all that apply*):

- a. ☐ Has violated—or threatened to violate—a custody or visitation order in the past
- b. ☐ Does not have strong ties to California
- c. ☐ Has done things that make it easy for him or her to take the child without permission.

He or she has (*check all that apply*):

- | | |
|--------------------------------------------------------------------------------------------------|--------------------------------------------------------|
| <input type="checkbox"/> Quit his or her job | <input type="checkbox"/> Sold his or her home |
| <input type="checkbox"/> Closed a bank account | <input type="checkbox"/> Ended a lease |
| <input type="checkbox"/> Sold or gotten rid of assets | <input type="checkbox"/> Hidden or destroyed documents |
| <input type="checkbox"/> Applied for a passport, birth certificate, or school or medical records | |

- d. ☐ Has a history of (*check all that apply*):
 - ☐ Domestic violence
 - ☐ Child abuse
 - ☐ Not cooperating with the other parent in parenting
 - ☐ Taking the children without permission

e. ☐ Has a criminal record

f. ☐ Has family or emotional ties to another county, state or foreign country

Note: If (f) is checked, at least one other item in items (a)–(e) must be checked also.

The Court Orders:

The Court makes the orders, checked below, to prevent the parent in ③ from taking the children without permission. These orders are valid in other states and any country that has signed The Hague Convention on the Civil Aspects of International Child Abduction.

④ ☐ **Post a Bond**

The parent in ③ must post a bond for \$ _____ .

⑤ ☐ **Do Not Move Without Written Permission of the Other Parent or Court Order**

The parent in ③ must **not** move with the children outside ☐ This county ☐ California

☐ The United States

Other (*specify*): _____
without written permission from the other parent or a court order.

⑥ ☐ **Do Not Travel Without Permission of the Other Person or Court Order**

The parent in ③ must **not** travel with the children outside (*check all that apply*):

☐ This county ☐ California ☐ The United States ☐ Other (*specify*): _____

without written permission of the other parent or a court order. _____

This is a Court Order.

7 ☐ **Notify Other State of Travel Restrictions**

The parent in **(3)** must register this order in the state of _____ before the children can travel to that state for visits.

8 ☐ **Turn In and Do Not Apply for Passports or Other Vital Documents**

The parent in **(3)** must *not* apply for passports or other documents (such as visas or birth certificates) that can be used for travel, and must turn in the following documents: _____

9 ☐ **Provide Itinerary and Other Travel Documents**

The parent in **(3)** must give the other parent the following before traveling with the children:

- ☐ The children's travel itinerary
- ☐ Copies of round-trip airline tickets
- ☐ Addresses and telephone numbers where the children can be reached
- ☐ An open airline ticket for the other parent in case the children are not returned
- ☐ Other (*specify*): _____

10 ☐ **Notify Foreign Embassy or Consulate of Passport Restrictions**

The parent in **(3)** must notify the embassy or consulate of _____ of this order and provide the court with proof of that notification within _____ calendar days.

11 ☐ **Foreign Custody and Visitation Order**

The parent in **(3)** must get a foreign custody and visitation order equal to the most recent U.S. order before the children can travel to that country for visits. The court recognizes that foreign orders may be changed or enforced depending on the laws of that country.

12 ☐ **Enforcing the Order**

The court authorizes any law enforcement officer to enforce this order. In this county, contact the Child Abduction Unit of the Office of the District Attorney at: _____

13 ☐ **Other****Notice to Authorities in Other States and Countries**

This court has jurisdiction to make child custody orders under California's Uniform Child Custody Jurisdiction and Enforcement Act (California Family Code, part 3, § 3400 et seq.) and The Hague Convention on the Civil Aspects of International Child Abduction (42 U.S.C. § 11601 et seq.). If jurisdiction is based on other factors, they will be listed in paragraph 13 above.

This is a Court Order.

You must also complete Form CLETS-001, Confidential CLETS Information and give it to the clerk when you file this Request.

Clerk stamps date here when form is filed.

1 Name of person asking for protection:

Age: _____

Your lawyer in this case (if you have one):

Name: _____ State Bar No.: _____

Firm Name: _____

Address (If you have a lawyer for this case, give your lawyer's information. If you do not have a lawyer and want to keep your home address private, give a different mailing address instead. You do not have to give your telephone, fax, or e-mail.):

Address: _____

City: _____ State: _____ Zip: _____

Telephone: _____ Fax: _____

E-Mail Address: _____

Fill in court name and street address:

Superior Court of California, County of

Clerk fills in case number when form is filed.

Case Number:

2 Name of person you want protection from:

Description of person you want protection from:

Sex: ☐ M ☐ F Height: _____ Weight: _____ Hair Color: _____ Eye Color: _____
Race: _____ Age: _____ Date of Birth: _____
Address (if known): _____
City: _____ State: _____ Zip: _____

3 Do you want an order to protect family or household members? ☐ Yes ☐ No

If yes, list them:

Full name	Sex	Age	Lives with you?	Relationship to you
_____	_____	_____	<input type="checkbox"/> Yes <input type="checkbox"/> No	_____
_____	_____	_____	<input type="checkbox"/> Yes <input type="checkbox"/> No	_____
_____	_____	_____	<input type="checkbox"/> Yes <input type="checkbox"/> No	_____

☐ Check here if you need more space. Attach a sheet of paper and write "DV-100, Protected People" for a title.

4 What is your relationship to the person in (2)? (Check all that apply):

- a. ☐ We are now married or registered domestic partners.
- b. ☐ We used to be married or registered domestic partners.
- c. ☐ We live together.
- d. ☐ We used to live together.
- e. ☐ We are related by blood, marriage, or adoption (specify relationship): _____
- f. ☐ We are dating or used to date, or we are or used to be engaged to be married.
- g. ☐ We are the parents together of a child or children under 18:
 Child's Name: _____ Date of Birth: _____
 Child's Name: _____ Date of Birth: _____
 Child's Name: _____ Date of Birth: _____
☐ Check here if you need more space. Attach a sheet of paper and write "DV-100, Children Under 18" for a title.
- h. ☐ We have signed a Voluntary Declaration of Paternity for our child or children. (Attach a copy if you have one).

If you do not have one of these relationships, the court may not be able to consider your request. Read DV-500-INFO for help.

This is not a Court Order.

5 Other Court Cases

a. Have you or any other person named in item ③ been involved in another court case with the person in ②?

☐ No ☐ Yes *If yes, check each kind of case and indicate where and when each was filed:*

Kind of Case	County or Tribe Where Filed	Year Filed	Case Number (if known)
<input type="checkbox"/> Divorce, Nullity, Legal Separation	_____	_____	_____
<input type="checkbox"/> Civil Harassment	_____	_____	_____
<input type="checkbox"/> Domestic Violence	_____	_____	_____
<input type="checkbox"/> Criminal	_____	_____	_____
<input type="checkbox"/> Juvenile, Dependency, Guardianship	_____	_____	_____
<input type="checkbox"/> Child Support	_____	_____	_____
<input type="checkbox"/> Parentage, Paternity	_____	_____	_____
<input type="checkbox"/> Other (specify): _____	_____	_____	_____

☐ Check here if you need more space. Attach a sheet of paper and write "DV-100, Other Court Cases" for a title.

b. Are there any domestic violence restraining/protective orders now (criminal, juvenile, family)?

☐ No ☐ Yes *If yes, attach a copy if you have one.*

Check the orders you want. ☒**6 ☐ Personal Conduct Orders**

I ask the court to order the person in ② not to do the following things to me or anyone listed in ③:

- a. ☐ Harass, attack, strike, threaten, assault (sexually or otherwise), hit, follow, stalk, molest, destroy personal property, disturb the peace, keep under surveillance, or block movements
- b. ☐ Contact, either directly or indirectly, in any way, including but not limited to, by telephone, mail or e-mail or other electronic means

The person in ② will be ordered not to take any action to get the addresses or locations of any protected person unless the court finds good cause not to make the order.

7 ☐ Stay-Away Order

a. I ask the court to order the person in ② to stay at least _____ yards away from (check all that apply):

- | | |
|----------------------------------------------|--------------------------------------------------------------|
| <input type="checkbox"/> Me | <input type="checkbox"/> My vehicle |
| <input type="checkbox"/> My home | <input type="checkbox"/> The children's school or child care |
| <input type="checkbox"/> My job or workplace | <input type="checkbox"/> Each person listed in ③ |
| <input type="checkbox"/> My school | <input type="checkbox"/> Other (specify): _____ |

b. If the person listed in ② is ordered to stay away from all the places listed above, will he or she still be able to get to his or her home, school, job, workplace, school, or vehicle? ☐ Yes ☐ No *(If no, explain):*

8 ☐ Move-Out Order

(If the person in ② lives with you and you want that person to stay away from your home, you must ask for this move-out order)

I ask the court to order the person in ② to move out from and not return to (address):

I have the right to live at the above address because (explain):

This is not a Court Order.

9 No Guns or Other Firearms

I believe the person in ② owns or possesses guns, firearms, or ammunition. ☐ Yes ☐ No ☐ I don't know
If the judge approves the order, the person in ② will be ordered not to own, possess, purchase or receive a firearm or ammunition. The person will be ordered to sell to a gun dealer or turn in to law enforcement any guns or firearms that he or she owns or possesses.

10 Record Unlawful Communications

I ask for the right to record communications made to me by the person in ② that violate the judge's orders.

11 Animals: Possession and Stay-Away Order

I ask for the sole possession, care, and control of the animals listed below. I ask the court to order the person in ② to stay at least _____ yards away from and not take, sell, transfer, encumber, conceal, molest, attack, strike, threaten, harm, or otherwise dispose of the following animals: _____

I ask for the animals to be with me because: _____

12 ☐ Child Custody and Visitation

- a. ☐ I do not have a child custody or visitation order and I want one.
b. ☐ I have a child custody or visitation order and I want it changed.

If you ask for orders, you must fill out and attach Form DV-105, Request for Child Custody and Visitation Orders.

You and the other parent may tell the court that you want to be legal parents of the children (use Form DV-180, Agreement and Judgment of Parentage).

13 ☐ Child Support (Check all that apply):

- a. ☐ I do not have a child support order and I want one.
b. ☐ I have a child support order and I want it changed.
c. ☐ I now receive or have applied for TANF, Welfare, CalWORKS, or Medi-Cal.

If you ask for child support orders, you must fill out and attach Form FL-150, Income and Expense Declaration or Form FL-155, Financial Statement (Simplified).

14 ☐ Property Control

I ask the court to give **only** me temporary use, possession, and control of the property listed here:

15 ☐ Debt Payment

I ask the court to order the person in ② to make these payments while the order is in effect:

☐ Check here if you need more space. Attach a sheet of paper and write "DV-100, Debt Payment" for a title.

Pay to: _____ For: _____ Amount: \$ _____ Due date: _____

16 ☐ Property Restraint

I am married to or have a registered domestic partnership with the person in ②. I ask the judge to order that the person in ② not borrow against, sell, hide, or get rid of or destroy any possessions or property, except in the usual course of business or for necessities of life. I also ask the judge to order the person in ② to notify me of any new or big expenses and to explain them to the court.

This is not a Court Order.

17 ☐ **Spousal Support**

I am married to or have a registered domestic partnership with the person in **(2)** and no spousal support order exists. I ask the court to order the person in **(2)** to pay spousal support. (*You must fill out, file, and serve Form FL-150, Income and Expense Declaration, before your hearing.*)

18 ☐ **Lawyer's Fees and Costs**

I ask that the person in **(2)** pay some or all of my lawyer's fees and costs.
You must complete, file and serve Form FL-150, Income and Expense Declaration before your hearing.

19 ☐ **Payments for Costs and Services**

I ask the court to order the person in **(2)** to pay the following:
*You can ask for lost earnings or your costs for services caused directly by the person in **(2)** (damaged property, medical care, counseling, temporary housing, etc.). You must bring proof of these expenses to your hearing.*

Pay to: _____ For: _____ Amount: \$ _____

Pay to: _____ For: _____ Amount: \$ _____

20 ☐ **Batterer Intervention Program**

I ask the court to order the person listed in **(2)** to go to a 52-week batterer intervention program and show proof of completion to the court.

21 ☐ **Other Orders**

What other orders are you asking for? _____

☐ *Check here if you need more space. Attach a sheet of paper and write "DV-100, Other Orders" for a title.*

22 ☐ **Time for Service (Notice)**

*The papers must be personally served on the person in **(2)** at least five days before the hearing, unless the court orders a shorter time for service. If you want there to be fewer than five days between service and the hearing, explain why below. For help, read Form DV-200-INFO, "What Is Proof of Personal Service?"*

23 ☐ **No Fee to Serve (Notify) Restrained Person**

If you want the sheriff or marshal to serve (notify) the restrained person about the orders for free, ask the court clerk what you need to do.

24 ☐ **Court Hearing**

The court will schedule a hearing on your request. If the judge does not make the orders effective right away ("temporary restraining orders"), the judge may still make the orders after the hearing. If the judge does not make the orders effective right away, you can ask the court to cancel the hearing. Read Form DV-112, *Waiver of Hearing on Denied Request for Temporary Restraining Order* for more information.

This is not a Court Order.

25 Describe Abuse

Describe how the person in (2) abused you. Abuse means to intentionally or recklessly cause or attempt to cause bodily injury to you; or to place you or another person in reasonable fear of imminent serious bodily injury; or to molest, attack, hit, stalk, threaten, batter, harass, telephone, or contact you; or to disturb your peace; or to destroy your personal property. Abuse can be spoken, written, or physical. (For a complete definition, see Family Code §§ 6203, 6320).

- a. Date of most recent abuse: _____
- b. Who was there? _____
- c. Describe how the person in (2) abused you or your children: _____

☐ Check here if you need more space. Attach a sheet of paper and write "DV-100, Recent Abuse" for a title.

- d. Did the person in (2) use or threaten to use a gun or any other weapon? ☐ No ☐ Yes (If yes, describe): _____

- e. Describe any injuries: _____

- f. Did the police come? ☐ No ☐ Yes

If yes, did they give you or the person in (2) an Emergency Protective Order? ☐ Yes ☐ No ☐ I don't know
Attach a copy if you have one.

The order protects ☐ you or ☐ the person in (2)

- g. **Has the person in (2) abused you (or your children) other times?**

If yes, ☐ check here and use Form DV-101, Description of Abuse or a sheet of paper to describe any previous abuse.

26 Other Persons to Be Protected

The persons listed in item (3) need an order for protection because (describe): _____

- 27** Number of pages attached to this form, if any: _____

I declare under penalty of perjury under the laws of the State of California that the information above is true and correct.

Date: _____

Type or print your name

Date: _____

Lawyer's name, if you have one

► _____
Sign your name

► _____
Lawyer's signature

This is not a Court Order.

PLAINTIFF/PETITIONER:	CASE NUMBER:
DEFENDANT/RESPONDENT:	

DECLARATION

(This form must be attached to another form or court paper before it can be filed in court.)

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date:

(TYPE OR PRINT NAME)

(SIGNATURE OF DECLARANT)

☐ Attorney for ☐ Plaintiff ☐ Petitioner ☐ Defendant
☐ Respondent ☐ Other *(Specify):*

PLAINTIFF/PETITIONER:	CASE NUMBER:
DEFENDANT/RESPONDENT:	

DECLARATION

(This form must be attached to another form or court paper before it can be filed in court.)

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date:

(TYPE OR PRINT NAME)

(SIGNATURE OF DECLARANT)

☐ Attorney for ☐ Plaintiff ☐ Petitioner ☐ Defendant
☐ Respondent ☐ Other *(Specify):*

This form is attached to DV-100, *Request for Domestic Violence Restraining Order*.

① **Name of person asking for protection:** _____

② **Name of person you want protection from:** _____

③ **Describe the 2nd most recent abuse.**

a. Date of 2nd most recent abuse: _____

b. Who was there? _____

c. Describe how the person in ② abused you or your children: _____

d. Describe any use or threatened use of guns or other weapons: _____

e. Describe any injuries: _____

f. Did the police or other law enforcement come? ☐ No ☐ Yes

If yes, did they give you or the person in ② an Emergency Protective Order? ☐ Yes ☐ No ☐ I don't know

The Emergency Protective Order protects ☐ You ☐ The person in ②

Attach a copy of the Emergency Protective Order if you have one.

4

- b. Who was there? _____

c. Describe how the person in (2) abused you or your children: _____

d. Describe any use or threatened use of guns or other weapons: _____

e. Describe any injuries: _____

f. Did the police or other law enforcement come? ☐ No ☐ Yes

If yes, did they give you or the person in (2) an Emergency Protective Order? ☐ Yes ☐ No ☐ I don't know

The Emergency Protective Order protects ☐ You ☐ The person in (2)

Attach a copy of the Emergency Protective Order if you have one.

5

[illegible]

☐ Check here if you need more space. Attach a sheet of paper and write “DV-101—Description of Abuse” for a title.

This form is attached to DV-100, *Request for Domestic Violence Restraining Order*.

Check the orders you want ☒.

① Your name: _____ ☐ Mom ☐ Dad ☐ Other*

② Other parent's name: _____ ☐ Mom ☐ Dad ☐ Other*

*If Other, specify relationship to child: _____

③ ☐ **Child Custody**

I ask the court for custody as follows:

Legal Custody to: (Person
who makes decisions about
health, education, and welfare)

Physical Custody to:
(Person you want the
child to live with)

Child's Name	Date of Birth	Mom	Dad	Other	Mom	Dad	Other
a. _____	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. _____	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c. _____	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d. _____	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

☐ Check here if you need more space. Attach a sheet of paper and write "DV-105, Child Custody" for a title.

④ ☐ **Change Current Court Order**

I want to change a current child custody or visitation court order.

Case Number (if you have it): _____ County: _____

Explain your current order and why you want a change. _____

☐ Check here if you need more space. Attach a sheet of paper and write "DV-105, Change Current Court Order" for a title.

⑤ **Child's Address**

Where has the child in ③(a) lived for the last 5 years? Give each city and state the child has lived unless it is unknown to the other parent and you want to keep it confidential because of domestic violence or child abuse. Start with where the child lives now and work backwards in time. (If the current address is confidential, check the box below and just provide the current state).

Child ③(a) addresses (city and state):	Child ③(a) lived with:			Dates lived there:
	Mom	Dad	Other	
<input type="checkbox"/> Confidential _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	From _____ to present
_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	From _____ to _____
_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	From _____ to _____
_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	From _____ to _____

☐ Check here if you need more space. Attach a sheet of paper and write "DV-105, Child's Address" for a title.

This is not a Court Order.

6 Other Children's Addresses

- ☐ Check here if the other child's (or children's) address information is the same as listed in **5**.
- ☐ If it is different, check here. Attach a sheet of paper and write "DV-105, Other Children's Addresses" for a title. List other children's address information, including dates, and name of person child lived with.

7 Other Custody Case

Were you involved in, or do you know of, any other custody case for any child listed in this form?

- ☐ No ☐ Yes If yes, fill out below and attach a copy of any custody or visitation orders if you have them:

a. Name of each child in other custody case: _____

- b. Type of case: ☐ Parentage (Paternity) ☐ Divorce ☐ Child Support ☐ Guardianship
☐ Juvenile/Dependency ☐ Domestic Violence
☐ Other (specify): _____

c. I was a ☐ Party ☐ Witness ☐ Other (specify): _____

d. Court (name): _____

Address: _____ County: _____ State: _____

e. Date of court order: _____

f. Case number (if you have it): _____

8 Other People With or Claiming to Have Custody or Visitation Rights

Do you know of anyone who is not involved in this case who has or claims to have custody or visitation rights with any child listed on this form? ☐ No ☐ Yes If yes, fill out below:

Name and address of that person:

- ☐ Has custody ☐ Claims custody rights ☐ Claims visitation rights

For these children (name of each child):

- ☐ Check here if you need more space. Attach a sheet of paper and write "DV-105, Other People With or Claiming Custody or Visitation" for a title.

9 Visitation

I ask the court to order that the person in **2** have the following temporary visitation rights:

(Check all that apply)

- a. ☐ No visitation until the hearing
b. ☐ No visitation after the hearing
c. ☐ The following visitation ☐ until the hearing ☐ after the hearing

(1) ☐ **Weekends** (starting): _____ (The 1st weekend of the month is the 1st weekend with a Saturday.)

☐ 1st ☐ 2nd ☐ 3rd ☐ 4th ☐ 5th weekend of month

from _____ at _____ ☐ a.m. ☐ p.m. to _____ at _____ ☐ a.m. ☐ p.m.
(day of week) (time) (day of week) (time)

(2) ☐ **Weekdays** (starting): _____

from _____ at _____ ☐ a.m. ☐ p.m. to _____ at _____ ☐ a.m. ☐ p.m.
(day of week) (time) (day of week) (time)

This is not a Court Order.



10 ☐ **Other Visitation**

Attach a sheet of paper with other visitation days and times, like summer vacation, holidays, and birthdays. List dates and times. Write "DV-105, Visitation" for a title.

11 ☐ **Responsibility for Transportation**

The parent will take or pick up the child or make arrangements for someone else to do so.

I ask the court to order that:

- a. ☐ Mom ☐ Dad ☐ Other (name): _____ **take children to** the visits.
- b. ☐ Mom ☐ Dad ☐ Other (name): _____ **pick up children from** the visits.
- c. ☐ Drop-off / pick-up of children will be at (address): _____
- d. ☐ Check here if other arrangement. Attach a sheet of paper and write "DV-105, Responsibility for Transportation" for a title.

12 ☐ **Supervised Visitation**

- a. I ask that the visitation in **9** be supervised by

☐ A professional supervisor ☐ A non-professional supervisor ☐ Other _____

Name and telephone number, if known: _____

- b. I ask that the visitation in **10** be supervised by

☐ A professional supervisor ☐ A non-professional supervisor ☐ Other _____

Name and telephone number, if known: _____

- c. I ask that any costs for supervision be paid by:

Mom _____ % Dad _____ % Other (name) _____ %

13 ☐ **Travel With Children**

I ask the court to order that:

☐ Mom ☐ Dad ☐ Other (name): _____ **must** have written permission from the other parent, or a court order, to take the children outside of:

- a. ☐ The State of California ☐ County of: _____
- b. ☐ Other place(s) (list): _____

14 ☐ **Child Abduction Risk**

☐ I believe that there is a risk the other parent will take our child out of California and hide the child from me.

If you check this box you must fill out and attach Form DV-108, Request for Order: No Travel with Children.

Important Instructions

- You must tell the court if you find out any other information about a custody case in any court for the children listed on this form.
- If the court makes a temporary custody order, the parent receiving custody must not take the child out of California without a noticed hearing. (See Family Code §3063.)

This is not a Court Order.

This form is attached to DV-105, *Request for Child Custody and Visitation Orders*.

① Your name: _____ ☐ Mom ☐ Dad ☐ Other*

② Other parent's name: _____ ☐ Mom ☐ Dad ☐ Other*

*If "Other," specify relationship with children: _____

③ Do you think the other parent may take the children without your permission to:

a. ☐ Another county in California? ☐ Yes ☐ No If "yes," what county? _____

b. ☐ Another state? ☐ Yes ☐ No If "yes," what state? _____

c. ☐ A foreign country? ☐ Yes ☐ No If "yes," what country? _____

If "Yes," is the other parent a citizen of that country? ☐ Yes ☐ No

If "Yes," does the other parent have family or emotional ties to that country? ☐ Yes ☐ No

Explain:

④ Why do you think the other parent may take the children without your permission?

The other parent: (Check all that apply)

a. ☐ Has violated — or threatened to violate — a custody or visitation order in the past.

b. ☐ Does not have strong ties to California.

c. ☐ Has done things recently that make it easy for him or her to take the children away without permission.

He or she has: (Check all that apply)

☐ Quit his or her job

☐ Sold his or her home

☐ Closed a bank account

☐ Ended a lease

☐ Sold or gotten rid of assets

☐ Hidden or destroyed documents

☐ Applied for a passport, birth certificate, or school or medical records

d. ☐ Has a history of: (Check all that apply)

☐ Domestic violence

☐ Child abuse

☐ Not cooperating with me in parenting

☐ Child abduction

e. ☐ Has a criminal record

f. Please explain your answers to a–e:

This is not a Court Order.

What orders do you want? Check the boxes that apply to your case. ☒**5 ☐ Post a Bond**

I ask the court to order the other parent to post a bond for \$ _____. If the other parent takes the children without my permission, I can use this money to bring the children back.

6 ☐ Do Not Move Without My Permission or Court Order

I ask the court to order the other parent *not* to move with the children without my written permission or a court order.

7 ☐ No Travel Without My Permission

I ask the court to order the other parent *not* to travel with the children outside: (*Check all that apply*)

☐ This county ☐ California ☐ The United States ☐ Other (*specify*): _____

8 ☐ Notify Other State of Travel Restrictions

I ask the court to order the other parent to register this order in the state of _____ before the children can travel to that state for visits.

9 ☐ Turn In and Do Not Apply for Passports or Other Vital Documents

I ask the court to order the other parent to turn in and *not* apply for passports or other documents (such as visas or birth certificates) that can be used for travel.

10 ☐ Provide Itinerary and Other Travel Documents

If the other parent is allowed to travel with the children, I ask the court to order the other parent to give me before leaving:

- ☐ The children's travel itinerary
- ☐ Copies of round-trip airline tickets
- ☐ Addresses and telephone numbers where the children can be reached
- ☐ An open airline ticket for me in case the children are not returned
- ☐ Other (*specify*): _____

11 ☐ Notify Foreign Embassy or Consulate of Passport Restrictions

I ask the court to order the other parent to notify the embassy or consulate of _____ of this order and to provide the court with proof of that notification within _____ calendar days.

12 ☐ Foreign Custody and Visitation Order

I ask the court to order the other parent to get a custody and visitation order equal to the most recent U.S. order before the child can travel to that country for visits. I understand that foreign orders may be changed or enforced depending on the laws of the country.

13 ☐ I declare under penalty of perjury under the laws of the State of California that the information on this form is true and correct.

Date: _____

Type or print your name

Sign your name

This is not a Court Order.

California Law Enforcement Telecommunications System (CLETS) Information Form

- ☐ This form is submitted with the initial filing (date): _____
- ☐ This is an amended form (date): _____

Important: This form MUST NOT become part of the public court file. It is confidential and private.

Fill out as much of this form as you can and give it to the court clerk. If the court issues a restraining order, this form will provide law enforcement with information that will help them enforce it. If any of this information changes, fill out a new (amended) form.

Case Number (if you know it): _____

① Person to Be Protected (Name): _____

Sex: ☐ M ☐ F Height: _____ Weight: _____ Race: _____

Hair Color: _____ Eye Color: _____ Age: _____ Date of Birth: _____

Mailing Address (listed on restraining order): _____

City: _____ State: _____ Zip: _____ Telephone (optional): _____

Vehicle (Type, Model, Year): _____ (License Number and State): _____

② Person to Be Restrained (Name): _____

Sex: ☐ M ☐ F Height: _____ Weight: _____ Race: _____

Hair Color: _____ Eye Color: _____ Age: _____ Date of Birth: _____

Residence Address: _____

City: _____ State: _____ Zip: _____ Telephone: _____

Business Address: _____

City: _____ State: _____ Zip: _____ Telephone: _____

Employer: _____

Occupation/Title: _____ Work Hours: _____

Driver's License Number and State: _____ Social Security Number: _____

Vehicle (Type, Model, Year): _____ (License Number and State): _____

Describe any marks, scars, or tattoos: _____

Other names used by the restrained person: _____

③ Guns or Firearms Describe any guns or firearms that you believe the person in ② owns or has access to (Number, types, and locations):

④ Other People to Be Protected

Name	Date of Birth	Sex	Race	Relation to Person in ①
------	---------------	-----	------	-------------------------

- ☐ Additional persons to be protected are listed on Attachment 4.

This is not a Court Order—Do not place in court file.

Clerk stamps date here when form is filed.

1 Name of Person Asking for Protection:**2 Name of Person to Be Restrained:****3 Notice to Server**

The server must:

- Be 18 years of age or older.
- Not be listed in items **1** or **3** of form DV-100, *Request for Domestic Violence Restraining Order*.



- Give a copy of all documents checked in **4** to the restrained person in **2**. (You cannot send them by mail.) Then complete and sign this form, and give or mail it to the person in **1**.

Fill in court name and street address:

Superior Court of California, County of

Fill in case number:

Case Number:**4** I gave the person in **2** a copy of all the documents checked:

- ☐ DV-109 with DV-100 and a blank DV-120 (*Notice of Court Hearing; Request for Domestic Violence Restraining Order; blank Response to Request for Domestic Violence Restraining Order*)
- ☐ DV-110 (*Temporary Restraining Order*)
- ☐ DV-105 and DV-140 (*Request for Child Custody and Visitation Orders, Child Custody and Visitation Order*)
- ☐ FL-150 with a blank FL-150 (*Income and Expense Declaration*)
- ☐ FL-155 with a blank FL-155 (*Financial Statement (Simplified)*)
- ☐ DV-115 (*Request to Continue Hearing and Reissue Temporary Restraining Order*)
- ☐ DV-116 (*Notice of New Hearing Date and Order on Reissuance*)
- ☐ DV-130 (*Restraining Order After Hearing*)
- ☐ Other (*specify*): _____

5 I personally gave copies of the documents checked above to the person in **2** on:a. Date: _____ b. Time: _____ ☐ a.m. ☐ p.m.

c. At this address: _____

City: _____ State: _____ Zip: _____

6 Server's Information

Name: _____

Address: _____

City: _____ State: _____ Zip: _____

Telephone: _____

(If you are a registered process server):

County of registration: _____ Registration number: _____

7 I declare under penalty of perjury under the laws of the State of California that the information above is true and correct.

Date: _____

Type or print server's name

 Server to sign here

What is “service”?

Service is the act of giving your legal papers to the other person. There are many kinds of service—in person, by mail, and others. This form is about personal or “in-person” service. The *Notice of Court Hearing* (Form DV-109), *Request for Domestic Violence Restraining Order* (Form DV-100) and *Temporary Restraining Order* (Form DV-110) must be served “in person.” That means someone—not you or anyone else protected by the order—must personally “serve” (give) the person to be restrained a copy of the forms. You cannot send them by mail.

Service lets the other person know:

- What orders you are asking for
- The hearing date
- How to respond

Why do I have to get the orders served?

- The **police cannot arrest** anyone for violating an order **unless** the restrained person knows about the order.
- The **judge cannot make the orders permanent** unless the restrained person was served.

**Who can serve?**

Ask someone you know, a process server, or a law enforcement agency (for example, a sheriff) to personally serve (give) a copy of the orders to the person to be restrained. You **cannot** send the forms to that person by mail.

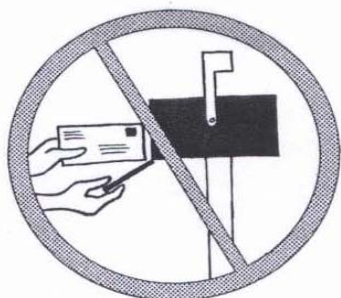
The server must:

- Be 18 years of age or over
- Not be you or anyone to be protected by the orders

A sheriff can serve the order at no cost to you.

A “registered process server” is a business you pay to deliver court forms. Look for “Process Serving” in the Yellow Pages or on the Internet.

(If a law enforcement agency or the process server uses a different Proof of Service form, make sure it lists the forms served.)



Don't serve it by mail!

How to Serve

Ask the server to:

- Walk up to the person to be served.
- Make sure it's the right person. Ask the person's name.
- Give the person copies of all papers checked on Form DV-200, *Proof of Personal Service*.
- Fill out and sign Form DV-200.
- Give the signed Form DV-200 to you.

What if the person won't take the papers or tears them up?

- If the person won't take the papers, just leave them near him or her.
- It doesn't matter if the person tears them up.



When do the orders have to be served?

It depends. To know the exact date, you have to look at two things on Form DV-109:

First, look at the hearing date on page 1 of Form DV-109. Next, look at the number of days written in item ⑤ on page 2.

③ **Notice of Court Hearing**
A court hearing is scheduled on the requested date and time.

Hearing Date	→ Date: _____	Time: _____
	Dept.: _____	Room: _____

⑤ **Service of Documents and Time for**
At least ☐ five or ☐ _____ days before the hearing.
protected—must personally give (serve) a copy of the orders (and a copy of the *Hearing*) to the person in ② along with a copy of:
a. Form DV-100, *Request for Domestic Violence Restraining Order*
b. ☐ Form DV-110, *Temporary Restraining Order*
judge
c. Form DV-120, *Response to Request for Restraining Order*
Form DV-250, *Proof of Personal Service*

Look at a calendar. Subtract the number of days in item ⑤ from the hearing date. That’s the final date to have the orders served. It’s always OK to serve earlier than that date.

If nothing is written in item ⑤ you must have the papers served at least 5 days before the hearing.

Who signs the *Proof of Personal Service*?

Only the person who serves the orders can sign the *Proof of Personal Service* (Form DV-200). You do not sign it. The person to be restrained does not sign it.

What happens if I cannot get the papers served before the hearing date?

Before your hearing, fill out and file a *Request to Continue Hearing and Reissue Temporary Restraining Order* (Form DV-115) and *Notice of New Hearing Date and Order on Reissuance* (Form DV-116). These forms ask the judge for a new hearing date and make any temporary orders last until then. Ask the clerk for the forms or go to www.courts.ca.gov.

You **must** attach a copy of Form DV-115 and DV-116 to a copy of your original order. That way, the police will know your orders are still in effect. And the restrained person will be served with notice of the new hearing date. For more information on getting a new hearing date, read Form DV-115-INFO, *How to Ask for a New Hearing Date*.

What do I do with the completed *Proof of Personal Service*?

Bring a copy of the original *Proof of Personal Service* (Form DV-200) to your hearing.

If the sheriff serves the orders, he or she will send the *Proof of Personal Service* to the court and CLETS (California Law Enforcement Telecommunications System), a statewide computer system that lets police know about your order, for you.

If someone other than the sheriff serves the orders, you should:

- If possible, file the original *Proof of Personal Service* (Form DV-200) with the court at least 2 days before your hearing. If you were unable to do this, bring the original *Proof of Personal Service* to your hearing.
- The clerk will send it to CLETS.
- Always keep an extra copy of the restraining orders with you for your safety.

LEAVE BLANK

**TO BE SERVED
ON THE OTHER
PARTY**

1 Name of Person Asking for Protection:(See Form DV-100, item ①):
_____**2 Your Name:**

Your lawyer in this case (if you have one):

Name: _____ State Bar No.: _____

Firm Name: _____

Address (If you have a lawyer for this case, give your lawyer's information. If you do not have a lawyer and want to keep your home address private, give a different mailing address instead. You do not have to give your telephone, fax, or e-mail.):

Address: _____

City: _____ State: _____ Zip: _____

Telephone: _____ Fax: _____

E-Mail Address: _____

Fill in court name and street address:

Superior Court of California, County of

Fill in case number:

Case Number:

_____**3 Use this form to respond to the Request for Domestic
Violence Restraining Order (Form DV-100)**

- Fill out this form and take it to the court clerk.
- Have the person in ① served by mail with a copy of this form and any attached pages. (See Form DV-250, *Proof of Service by Mail*.)
- For more information, read Form DV-120-INFO, *How Can I Respond to Request for Domestic Violence Restraining Order?*

The judge will consider your Response at the hearing.Write your hearing date, time, and place from Form DV-109, *Notice of Court Hearing*, item ③ here:**Hearing
Date** →

Date: _____ Time: _____

Dept.: _____ Room: _____

You must obey the orders in Form DV-110, *Temporary Restraining Order*, until the hearing. At the hearing, the court may make restraining orders against you that could last up to 5 years and could be renewed.

4 ☐ Relationship to Person Asking for Protection

- a. ☐ I agree to the relationship listed in item ④ on Form DV-100.
- b. ☐ I do not agree to the relationship listed in item ④ on Form DV-100. (Specify your reasons in item 23, page 4 of this form.)

5 ☐ Other Protected People

- a. ☐ I agree to the order requested.
- b. ☐ I do not agree to the order requested. (Specify your reasons in item 23, page 4 of this form.)

6 ☐ Personal Conduct Order

- a. ☐ I agree to the order requested.
- b. ☐ I do not agree to the order requested. (Specify your reasons in item 23, page 4 of this form.)

This is not a Court Order.

7 ☐ **Stay-Away Orders**

- a. ☐ I agree to the order requested.
 b. ☐ I do not agree to the order requested. *(Specify your reasons in item 23, page 4 of this form.)*

8 ☐ **Move-Out Order**

- a. ☐ I agree to the order requested.
 b. ☐ I do not agree to the order requested. *(Specify your reasons in item 23, page 4 of this form.)*

9 ☐ **Turn In Guns or Other Firearms**

If you were served with Form DV-110, Temporary Restraining Order, you must turn in any guns or firearms in your immediate possession or control. You must file a receipt with the court from a law enforcement agency or a licensed gun dealer within 48 hours after you received Form DV-110.

- a. ☐ I do not own or have any guns or firearms.
 b. ☐ I ask for an exemption from the firearms prohibition under Family Code § 6389(h) because
 (specify): _____
 c. ☐ I have turned in my guns and firearms to law enforcement or sold them to a licensed gun dealer.
 d. ☐ A copy of the receipt showing that I turned in or sold my firearms
 ☐ is attached ☐ has already been filed with the court.

10 ☐ **Record Unlawful Communications Order**

- a. ☐ I agree to the order requested.
 b. ☐ I do not agree to the order requested. *(Specify your reasons in item 23, page 4 of this form.)*

11 ☐ **Animals: Possession and Stay-Away Order**

- a. ☐ I agree to the order requested.
 b. ☐ I do not agree to the order requested. *(Specify your reasons in item 23, page 4 of this form.)*

12 ☐ **Child Custody and Visitation Order**

- a. ☐ I agree to the order requested.
 b. ☐ I do not agree to the order requested. *(Specify your reasons in item 23, page 4 of this form.)*
 c. ☐ I am not the parent of the child listed in Form DV-105, *Request for Child Custody and Visitation Orders*.
 d. ☐ I ask for the following custody order *(specify):*

- e. ☐ I do ☐ I do not agree to the orders requested to limit the child's travel as listed in Form DV-108,
Request for Order: No Travel with Children.

You and the other parent may tell the court that you want to be legal parents of the children (use Form DV-180, Agreement and Judgment of Parentage).

13 ☐ **Child Support Order** *(Check all that apply):*

- a. ☐ I agree to the order requested.
 b. ☐ I do not agree to the order requested. *(Specify your reasons in item 23, page 4 of this form.)*
 c. ☐ I agree to pay guideline child support.

Whether or not you agree to pay support, you must fill out, serve, and file Form FL-150, Income and Expense Declaration or FL-155, Financial Statement.

This is not a Court Order.



- 14** ☐ **Property Control Order**
a. ☐ I agree to the order requested.
b. ☐ I do not agree to the order requested. *(Specify your reasons in item 23, page 4 of this form.)*
- 15** ☐ **Debt Payment Order**
a. ☐ I agree to the order requested.
b. ☐ I do not agree to the order requested. *(Specify your reasons in item 23, page 4 of this form.)*
- 16** ☐ **Property Restraint Order**
a. ☐ I agree to the order requested.
b. ☐ I do not agree to the order requested. *(Specify your reasons in item 23, page 4 of this form.)*
- 17** ☐ **Spousal Support Order**
a. ☐ I agree to the order requested.
b. ☐ I do not agree to the order requested. *(Specify your reasons in item 23, page 4 of this form.)*
Whether or not you agree, you must fill out, serve, and file Form FL-150, Income and Expense Declaration.
- 18** ☐ **Lawyer's Fees and Costs**
a. ☐ I agree to the order requested.
b. ☐ I do not agree to the order requested. *(Specify your reasons in item 23, page 4 of this form.)*
c. ☐ I request the court to order payment of my lawyer's fees and costs.
Whether or not you agree, you must fill out, serve, and file Form FL-150, Income and Expense Declaration.
- 19** ☐ **Payments for Costs and Services**
a. ☐ I agree to the order requested.
b. ☐ I do not agree to the order requested. *(Specify your reasons in item 23, page 4 of this form.)*
- 20** ☐ **Batterer Intervention Program**
a. ☐ I agree to the order requested.
b. ☐ I do not agree to the order requested. *(Specify your reasons in item 23, page 4 of this form.)*
- 21** ☐ **Other Orders** *(see item 21 on Form DV-100)*
a. ☐ I agree to the order requested.
b. ☐ I do not agree to the order requested. *(Specify your reasons in item 23, page 4 of this form.)*
- 22** ☐ **Out-of-Pocket Expenses**
I ask the court to order payment of my out-of-pocket expenses because the temporary restraining order was issued without enough supporting facts. The expenses are:
Item: _____ Amount: \$ _____ Item: _____ Amount: \$ _____
You must fill out, serve, and file Form FL-150, Income and Expense Declaration.

This is not a Court Order.

Case Number:

23

Explain your answers to each of the orders requested (*give specific facts and reasons*):

☐ Check here if there is not enough space below for your answer. Put your complete answer on an attached sheet of paper and write, “DV-120, Reasons I Do Not Agree” as a title.

[illegible]

24

I declare under penalty of perjury under the laws of the State of California that the information above is true and correct.

Date: _____

Type or print your name

Sign your name

Date: _____

▶

Lawyer's name, if you have one

Lawyer's signature

This is not a Court Order.